

02 - 25 - 08

PATENT

Attorney Docket No.: 784-53 (SC-188)3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANTS:** HWANG, Chan-Soo et al. **GROUP ART UNIT:** 2616

**SERIAL NO.:** 10/606,430 **EXAMINER:** MOORE, Ian N.

**FILED:** June 25, 2003 **DATED:** February 26, 2008

**FOR:** **ORTHOGONAL FREQUENCY DIVISION MULTIPLEXING  
COMMUNICATION METHOD AND APPARATUS ADAPTED TO  
CHANNEL CHARACTERISTICS**

Mail Stop  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313,1450  
Attention: Refund Section, Accounting Division, Office of Finance

**REQUEST FOR REFUND**

Sir:

**I. REFUND REQUEST**

This is a request for a refund with respect to a payment for the first and second month extension of time incurred because of a delay that is believed to have been caused by the U.S. Patent and Trademark Office with respect to the above-identified application.

**II. FEES CHARGED FOR WHICH REFUND REQUESTED**

**AMOUNT OF REFUND REQUESTED**

- filing fee
- surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. §1.16(e))
- and/or
- surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. §1.16(e))
- extension of term
- first month
- second month and
- third month \$ 910.00
- fourth month
- excess claims
- issue fee
- petition fee
- patent maintenance fee
- first maintenance fee
- second maintenance fee
- third maintenance fee
- patent maintenance fee surcharge
- other

**TOTAL REFUND REQUESTED \$ 910.00**

### **III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

An Office Action marked "Final" by the Examiner was mailed on August 24, 2007. On November 26, 2007 a Response to the Office Action was filed electronically as evidenced by the Electronic Filing Receipt EPS ID 2509256 attached hereto. An Advisory Action was faxed by the U.S. Patent and Trademark Office on February 25, 2008, upon a conversation with the Examiner on the status of the Advisory Action. On February 25, 2008 a Request for Continued Examination was filed with the U.S. Patent and Trademark Office.

It is respectfully submitted that if not for the delay of the Patent Office, the fee associated with the Request for Continued Examination of \$910.00 for the second and third month Extension of Time would have been incurred by the applicant.

Since the Response to the "Final" Office Action was received on November 26, 2007, an Office communication should have been issued by December 26, 2007. The delay of two months, i.e. December 26, 2008 to February 25, 2008, was directly caused by the Office, and in turn caused the Applicant to incur the cost associated with the Request for Continued Examination of \$910.00.

Due to the delay of the issuance of the Advisory Action by the U.S. Patent and Trademark Office, a refund of the first and second month extension of time for a total of \$910.00 is required.

**IV. MANNER OF REFUND**

Please make refund by

crediting Deposit Account No. 50-4053.

refunding payment.

Respectfully requested,



Paul J. Farrell

Reg. No. 33,494

Attorney for Applicant(s)

Dated: February 25, 2008

**THE FARRELL LAW FIRM**  
333 Earle Ovington Blvd.  
Uniondale, New York 11553  
(516) 228-3565 (tel)  
(516) 228-8475 (fax)

## Electronic Acknowledgement Receipt

EFS ID:	2509258
Application Number:	10606430
International Application Number:	
Confirmation Number:	6328
<b>Title of Invention:</b> Orthogonal frequency division multiplexing communication method and apparatus adapted to channel characteristics	
First Named Inventor/Applicant Name:	Chan-Soo Hwang
Customer Number:	68547
Filler:	Paul J. Farrell/Danielle Ryan
Filler Authorized By:	Paul J. Farrell
Attorney Docket Number:	784-53
Receipt Date:	26-NOV-2007
Filing Date:	25-JUN-2003
Time Stamp:	18:10:12
Application Type:	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment		no			
<b>File Listing:</b>					
Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part / .zip	Pages (If appl.)
1		Amendment.pdf	426755 N465-07m2574a12345674321ba 8797659	yes	12

Multipart Description/PDF files in .zip description			
	Document Description	Start	End
	Miscellaneous Incoming Letter	1	2
	Amendment After Final	3	12
<b>Warnings:</b>			
<b>Information:</b>			
<b>Total Files Size (in bytes):</b>		426755	
<p><b>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</b></p> <p><b>New Applications Under 35 U.S.C. 111</b>  If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b>National Stage of an International Application under 35 U.S.C. 371</b>  If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b>New International Application Filed with the USPTO as a Receiving Office</b>  If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>			

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	10606430			
<b>Filing Date:</b>	25-Jun-2003			
<b>Title of Invention:</b>	Orthogonal frequency division multiplexing communication method and apparatus adapted to channel characteristics			
<b>First Named Inventor/Applicant Name:</b>	Chan-Soo Hwang			
<b>Filer:</b>	Paul J. Farrell/Danielle Ryan			
<b>Attorney Docket Number:</b>	784-53			
Filed as Large Entity				
<b>Utility Filing Fees</b>				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b> Adjustment date: 02/28/2008 KSEBRE1 02/26/2008 INTFSW 02300262 10606430 01 FC:1253 -1050.00 0P				
<b>Patent-Appeals-and-Interference:</b>				
02/28/2008 KSEBRE1 023022003 10606430 01 FC:1251 120.00 0P				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				
Extension - 3 months with \$0 paid	1253	1	1050	1050

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Request for continued examination	1801	1	810	810
<b>Total in USD (\$)</b>				<b>1860</b>